

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

APR 15 2008

LINDA MARSHALL, BEN DAMPIOS,	X
AL SPILLOWAY, BERNIE APOTHEKER,)
HARRY ESPOSITO and BRENT WENTZ,)
on behalf of themselves and all)
others similarly situated,)
)
Plaintiffs,)
)
v.)
)
MILBERG WEISS BERSHAD & SCHULMAN)
LLP, LERACH COUGHLIN STOIA GELLER)
RUDMAN & ROBBINS LLP, MELVIN I.)
WEISS, DAVID J. BERSHAD, and STEVEN G.)
SCHULMAN, DOES 1 THROUGH 15,)
)
Defendants.)
	X

Civil Action No.: 07 CV 6950 (LAP)

**MOTION TO ADMIT COUNSEL
*PRO HAC VICE***

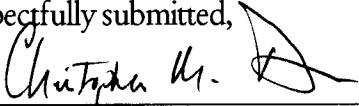
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, Christopher M. DiMuro, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Jamie S. Gardner
 Patton Boggs LLP
 2550 M Street, N.W.
 Washington, DC 20037
 Telephone: (202) 457-6188
 Facsimile: (202) 457-6315
jgardner@pattonboggs.com

Jamie S. Gardner is a member in good standing of the Bar of the Commonwealth of Massachusetts, and of the District of Columbia Bar. There are no pending disciplinary proceedings against Jamie S.

Gardner in any State or Federal court.

Date: April 10, 2008
Newark, New Jersey

Respectfully submitted,


Christopher M. DiMuro
PATTON BOGGS LLP
1185 Avenue of the Americas
30th Floor
New York, New York 10036
Telephone: (646) 557-5100
Facsimile: (646) 557-5101
E-mail: cdimuro@pattonboggs.com
Attorneys for Defendant David J. Bershad

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LINDA MARSHALL, BEN DAMPIOS,)
AL SPILLOWAY, BERNIE APOTHEKER,)
HARRY ESPOSITO and BRENT WENTZ,)
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	Civil Action No.: 07 CV 6950 (LAP)
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LLP, LERACH COUGHLIN STOIA GELLER)
RUDMAN & ROBBINS LLP, MELVIN I.)
WEISS, DAVID J. BERSHAD, and STEVEN G.)
SCHULMAN, DOES 1 THROUGH 15,)
)
Defendants.)
	X
State of New York)
)
County of New York)
	ss:

**AFFIDAVIT OF CHRISTOPHER
M. DIMURO IN SUPPORT
MOTION TO ADMIT COUNSEL
*PRO HAC VICE***

Christopher M. DiMuro, being duly sworn, hereby deposes and says as follows:

1. I am Christopher M. DiMuro, counsel for Defendant David J. Bershad in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant Bershad's motion to admit Jamie S. Gardner as counsel *pro hac vice* to represent Defendant Bershad in this matter.
2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in 2003. I also am admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Ms. Gardner since 2006.
4. Ms. Gardner is a partner at Patton Boggs LLP in Washington, DC.

5. I have found Ms. Gardner to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

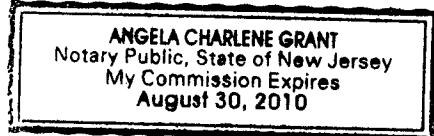
6. Accordingly, I am pleased to move the admission of Jamie S. Gardner, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of Jamie S. Gardner, *pro hac vice*, which is attached hereto as Exhibit A.

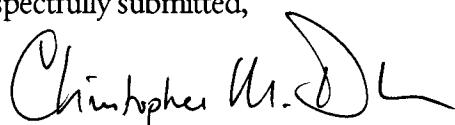
WHEREFORE it is respectfully requested that the motion to admit Jamie S. Gardner, *pro hac vice*, to represent Defendant Bershad in the above-captioned matter, be granted.

Date: April 10, 2008
Newark, New Jersey

Notarized:



Respectfully submitted,



Christopher M. DiMuro
PATTON BOGGS LLP
1185 Avenue of the Americas
30th Floor
New York, New York 10036
Telephone: (646) 557-5100
Facsimile: (646) 557-5101
E-mail: cdimuro@pattonboggs.com
Attorneys for Defendant David J. Bershad

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston
within and for said County of Suffolk, on the **twenty-third**
day of **November** A.D. **1998**, said Court being the highest
Court of Record in said Commonwealth:

Jamie Sue Gardner

being found duly qualified in that behalf, and having taken and subscribed
the oaths required by law, was admitted to practice as an Attorney, and, by
virtue thereof, as a Counsellor at Law, in any of the Courts of the said
Commonwealth: that said Attorney is at present a member of the Bar, and
is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the
seal of said Court, this **eleventh** day of **April**

in the year of our Lord **two thousand and eight**.

A handwritten signature in black ink, appearing to read "Maura S. Doyle".

MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

JAMIE S. GARDNER

was on the 19TH day of DECEMBER, 1983

duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on April
10, 2008.

GARLAND PINKSTON, JR., CLERK

By: C.H. Hall,
Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify that, on April 11, 2008, a copy of the foregoing **Motion to Admit Counsel Pro Hac Vice** for Jamie S. Gardner was served upon all counsel of record by first-class U.S. Mail, postage prepaid, to the following:

Stanley J. Okula, Jr., Esq.
Assistant U.S. Attorney
United States Attorney's Office
Southern District of New York
300 Quarropas Street
White Plains, New York 10601
(212) 637-1585

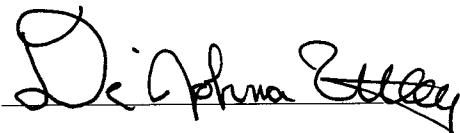
Richard E. Robinson, Esq.
Assistant U.S. Attorney
United States Attorney's Office
Central District of California
312 North Spring Street
Los Angeles, California 90012
(213) 894-0713

Russel H. Beatie, Esq.
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Beatie & Osborn LLP
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New York, New York 10175
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New York, New York 10017
*Attorneys for Defendants Melvyn I Weiss and
Milberg Weiss Bershad & Schulman LLP*

Peter M. Ripin
Davidoff Malito & Hutcher LLP
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New York, New York 10158
Attorneys for Defendant Steven G. Schulman

By: 

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dutley@pattonboggs.com

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

	-----X	
LINDA MARSHALL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.: 07 CV 6950 (LAP)
)	
MILBERG WEISS BERSHAD & SCHULMAN)	ORDER FOR ADMISSION
LLP, et al.,)	PRO HAC VICE
)	ON WRITTEN MOTION
Defendants.)	
)	
	-----X	

Upon the motion of Christopher M. DiMuro, attorney for Defendant David J. Bershad and said sponsor of attorney's affidavit in support;

IT IS HEREBY ORDERED that

Jamie S. Gardner
 Patton Boggs LLP
 2550 M Street, N.W.
 Washington, DC 20037
 Telephone: (202) 457-6188
 Facsimile: (202) 457-6315
 jgardner@pattonboggs.com

is admitted to practice pro hac vice as counsel for Defendant David J. Bershad in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Date: New York, NY
 April __, 2008

Hon. Loretta A. Preska, U.S.D.J.